

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Revision of the Commission's Rules)	
To Ensure Compatibility with)	
Enhanced 911 Emergency Calling Systems)	
)	CC Docket No. 94-102
Wireless E911 Phase II Implementation)	
Plan of Nextel Communications, Inc.)	
)	
Request for Waiver by Sprint Spectrum L.P.,)	
d/b/a Sprint PCS)	
_____)	

**SPRINT NEXTEL CORPORATION
QUARTERLY E911 IMPLEMENTATION REPORT
February 1, 2006**

Sprint Nextel Corporation ("SN" or "Company")¹ submits its February 1, 2006, Quarterly E911 Implementation Report in compliance with the Federal Communications Commission's ("Commission" or "FCC") October 12, 2001, *Sprint Waiver Order*² and *Nextel Waiver Order*.³

I. INTRODUCTION

During the fourth quarter of 2005, SN completed a combined 357 Phase I PSAP deployments and 531 Phase II deployments on its Code Division Multiple Access ("CDMA") and inte-

¹ Sprint Nextel Corporation is the result of a merger between Sprint Corporation and Nextel Communications, Inc., which closed on August 12, 2005. The terms "Sprint" and "Nextel" refer to those entities as they existed prior to the closing of that transaction.

² *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Request for Waiver by Sprint Spectrum L.P. d/b/a Sprint PCS*, Order, CC Docket 94-102, 16 FCC Rcd 18330 (2001) ("*Sprint Waiver Order*").


³ *In the Matter of Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Wireless E911 Phase II Implementation Plan of Nextel Communications, Inc.*, Order, CC Docket No. 94-102, 16 FCC Rcd 18277 (2001) ("*Nextel Waiver Order*").

grated Digital Enhanced Network (“iDEN™”) networks. During this time period, SN brought its total Phase I deployments to 3,234 PSAPs on its combined networks and its total Phase II deployments to 2,459 PSAPs.⁴ Phase I and II services are now available in portions of 48 states, Puerto Rico and the District of Columbia.

SN remains committed to providing its customers and public safety officials with E911 Phase I and II service throughout its network. SN was the first carrier to begin selling Global Position System (“GPS”) enabled handsets, the first carrier to deploy a handset based Phase II network, and the first to convert 100% of new activations on its CDMA network to GPS-enabled devices. As SN anticipated in its *Waiver Petition* filed on September 29, 2005,⁵ however, it was unable to meet the requirement that 95% of its existing customer base be GPS enabled by December 31, 2005. As discussed in the *Waiver Petition*, a latent software defect in certain Assisted Global Positioning System (“A-GPS”) handsets resulted in a malfunction of the E911 Phase II location capability in all iDEN Phase II-compliant handsets on July 17, 2004. This combined with other circumstances affecting legacy Nextel’s conversion efforts have led SN to seek a waiver of the Commission’s 95% handset deployment rule until December 31, 2007.⁶ Notwithstanding this failure, SN notes that as of December 31, 2005, it had distributed over 60 million GPS enabled handsets.

This report contains information regarding the status of SN’s enhanced 911 deployment efforts through the end of the fourth quarter of 2005, but does not duplicate all of the information

⁴ Specific information regarding these PSAP deployments is contained in Appendix A to this Quarterly Report. As shown in that appendix, there is significant overlap in the deployments listed for each network. These numbers reflect unique PSAP deployments. If CDMA and iDEN deployments are counted separately, SN has deployed 4,618 Phase I requests and 3,468 Phase II requests.

 *Sprint Nextel Corporation Request for Limited Waiver*, CC Docket No. 94-102, filed September 29, 2005 (“*Waiver Petition*”).

⁶ See *Waiver Petition* at 6, 14-20.

provided to the Commission in previous filings. Sprint and Nextel's previous Quarterly E911 Reports and filings in this docket provide additional information regarding the issues surrounding the deployment of Phase I and II services and SN's compliance with the Commission's rules and those filings are incorporated herein by reference.⁷

II. CURRENT STATUS OF PHASE I AND II REQUESTS

The *Sprint Waiver Order* and *Nextel Waiver Order* specified that Sprint and Nextel's quarterly reports "must include information on all pending Phase I and Phase II requests."⁸ SN provides this information below.

A. Phase I Status

SN has worked cooperatively with PSAPs across the country to deploy Phase I (cell site/sector location) E911 services. As of December 31, 2005, SN is providing Phase I E911 services on its CDMA network to approximately 2,956 PSAPs, which represents the addition of approximately 182 Phase I systems from last quarter. On its iDEN network, SN is providing Phase I E911 service to approximately 1,662 PSAPs, an addition of 175 Phase I systems from the last quarterly report. These numbers represent deployments within 3,234 unique PSAPs. Details regarding the status of Phase I requests on SN's CDMA and iDEN networks are contained within Appendix A to this report.

The "Date PSAP Made Request" column in Appendix A indicates the date a PSAP request was issued, even if the PSAP did not at that time meet the prerequisites of Rule 20.18. SN's objective is to deploy Phase I with as many PSAPs as possible. Accordingly, SN has not

⁷ See *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket 94-102, Quarterly Reports of Sprint Corporation and Nextel Communications, Inc. beginning February 1, 2002.

⁸ *Sprint Waiver Order* at ¶ 28; *Nextel Waiver Order* at ¶ 32.

attempted to segregate those requests as valid or invalid under the prerequisites contained in Rule 20.18, but has moved forward on all requests. Where deployment is not possible within six months of a request, SN has established an agreed upon deployment schedule as permitted under the Commission's *Richardson Reconsideration Order*.⁹ At the Commission's request, Sprint will provide additional information with respect to specific deployments and PSAP circumstances presented in each case.

B. Phase II Status

SN continues to deploy Phase II services to requesting PSAPs. SN launched 300 new PSAPs on its CDMA network and 231 new PSAPs on its iDEN network in the last quarter bringing total CDMA deployments to 2,191 PSAPs and total iDEN deployments to 1,277 PSAPs. These numbers reflect 2,459 unique PSAP deployments. Details regarding the status of specific Phase II requests are contained in Appendix A attached hereto.

As with Phase I requests, SN has not attempted to segregate Phase II requests based upon validity under the *Richardson Order*, and the Company has moved forward with implementation efforts for all requesting PSAPs. SN has reached an agreed-upon implementation schedule with each of the Phase II requesting PSAPs as permitted under the *Richardson Reconsideration Order* and accordingly, SN is in compliance with the Commission's rules regardless of the validity of a given request. As discussed in previous filings, however, where a PSAP has made a Phase II request, and the ALI provider has not upgraded its ALI database, or prohibits the use of that ALI database contingent upon state regulatory authority approval of the ALI provider's tariff filing,

⁹ *In the Matter of Petition of City of Richardson Texas*, Order on Reconsideration, CC Docket 94-102, FCC 02-318, (2002) at ¶29.

the PSAP is unable to receive or utilize Phase II information. A PSAP will be unable to receive Phase II data unless the necessary ALI and CPE upgrades have been performed.¹⁰

III. NETWORK READINESS

The *Sprint Waiver Order* specified that the quarterly report contain a statement whether “Sprint has completed its Phase II conversion of all Lucent switching software” by May 30, 2002, and “whether Sprint has completed its Phase II conversion of all Nortel switching software” by August 1, 2002. SN completed these network upgrades by the Commission’s benchmark dates. In fact, SN completed the required installation of all national platforms and upgrades to its network infrastructure ahead of the Commission’s schedule. SN’s CDMA network has now been Phase II enabled for more than three years.

A. Lucent Markets

SN completed installation of switch software upgrades in all of its Lucent CDMA markets on March 6, 2002, almost three months in advance of the Commission’s May 30, 2002 deadline.

B. Nortel Markets

SN completed installation of switch software upgrades in all of its Nortel CDMA markets on June 14, 2002, over a month and a half in advance of the Commission’s August 1, 2002 deadline.

IV. CURRENT HANDSET ACTIVATIONS AND SALES

The *Sprint Waiver Order* and the *Nextel Waiver Order* specified that Sprint’s and Nextel’s quarterly reports “must also include information on current handset models being acti-

¹⁰ See Sprint Reply Comments in Support of its Petition for Reconsideration and Clarification, CC Docket No. 94-102 (Jan. 28, 2002).

vated or sold that are GPS-capable and important events effecting location-capable handset penetration levels, such as introduction of new handset models.”¹¹

SN was the first carrier to effectively meet the Commission’s 100% new activation requirement on its CDMA network during the third quarter of 2003.¹² SN effectively met its 100% activation requirement for its iDEN network during the first quarter of 2005.¹³ SN has introduced more than forty GPS-enabled handset models on its CDMA network since October 1, 2001, and more than twenty-five GPS-enabled handset models on its iDEN network since October 1, 2002. Indeed, many of the early GPS handset models have been retired as obsolete. All new handset models introduced by SN are GPS enabled, and have been since January of 2003 on its CDMA network and since February 2004 on its iDEN network (with the exception of one BlackBerry model that is no longer available). As of the end of the fourth quarter of 2005, SN had distributed over 60 million GPS-enabled handsets.

V. COMPLIANCE WITH OUTSTANDING BENCHMARKS

The *Sprint Waiver Order* and *Nextel Waiver Order* specified that the quarterly reports must also contain statements regarding whether SN has met each deployment benchmark and, if not, the reasons for the failure to comply.¹⁴

SN has met all benchmarks set for its CDMA and iDEN networks through the end of the fourth quarter of 2005, with the exception of the December 31, 2005, 95% handset penetration

¹¹ *Sprint Waiver Order* at ¶ 28; *Nextel Waiver Order* at ¶ 32.

¹² See Sprint Corporation Seventh Quarterly E911 Implementation Report (filed August 1, 2003) at 1-3; Sprint Corporation Eighth Quarterly E911 Implementation Report (November 1, 2003) at 2.

¹³ See Nextel Communications, Inc. Phase I and Phase II E911 Quarterly Report (February 1, 2005) at 11-12.

¹⁴ *Sprint Waiver Order* at ¶ 28; *Nextel Waiver Order* at ¶ 32.

benchmark. As outlined in previous quarterly reports,¹⁵ SN has met the requirement that all new handsets providing interconnected voice be A-GPS capable.¹⁶ SN began selling GPS handsets on its CDMA network by October 1, 2001, and began selling GPS handsets on its iDEN network by October 1, 2002. SN met the interim benchmark that 25% of CDMA handset activations be GPS enabled by July 31, 2002. SN met the interim benchmarks that 10% of new activations on its iDEN network be GPS enabled by December 31, 2002, and that 50% of new activations be GPS enabled by December 1, 2003.

As stated above, SN completed network upgrades to its Lucent and Nortel CDMA switches well before the Commission deadlines of May 30, 2002 and August 1, 2002. The Commission also ordered SN to provide service on its CDMA network to all PSAPs who had made a valid request on or before June 30, 2002, by December 31, 2002. The majority of requests received prior to June 30, 2002, would be considered invalid under the rules in effect at the time the requests were issued, because the PSAP was unable to receive or utilize Phase II information. The validity of these requests should no longer be an issue, however, because SN has reached agreement with Phase I and II requesting PSAPs regarding implementation dates as permitted under the *Richardson Reconsideration Order*.¹⁷ Accordingly, SN is in compliance with the *Sprint Waiver Order* and *Nextel Waiver Order*.

¹⁵ See also *In the Matter of Request for a Limited and Temporary Rule Waiver by Sprint*, FCC 03-133, Order, CC Docket 94-102 (June 16, 2003).

¹⁶ The revised benchmark for SN's CDMA network for compliance with the Commission's 100% GPS activation requirement was June 30, 2003. On SN's iDEN network, the 100% GPS activation requirement was December 1, 2004.

¹⁷ On October 24, 2004, the Enforcement Bureau of the FCC issued a Notice of Apparent Liability ("NAL") finding that Sprint PCS had failed to provide Phase I service within six months of a request by Santa Cruz County, Arizona ("Santa Cruz") in violation of rule 20.18(d). *In the Matter of Sprint Spectrum L.P. d/b/a Sprint PCS*, Notice of Apparent Liability for Forfeiture, EB-04-SE-054, (October 24, 2004). Sprint contested the validity of this NAL. The parties entered into a Consent Decree resolving

As discussed above, the FCC requires CMRS carriers deploying handset based Phase II enhanced 911 systems to ensure that 95% of their embedded handset bases are GPS enabled by December 31, 2005.¹⁸ SN has taken the December 2005 benchmark seriously and has devoted substantial resources to maximize its GPS handset penetration rate by that date. SN has sought a limited waiver due to its inability to meet the 95% handset penetration benchmark. Based on churn levels, customer upgrades, and continuing software reflashing of iDEN handsets affected by the A-GPS glitch, SN believes it will achieve the 95% benchmark on its combined network by December 31, 2007.

The *Sprint Waiver Order* and *Nextel Waiver Order* also direct SN to provide a statement regarding the accuracy milestone.¹⁹ The rules provide that handset-based location solutions must provide the location of wireless 911 calls with an accuracy of 50 meters for 67 percent of calls and 150 meters for 95 percent of calls.²⁰ Prior to deploying the assisted GPS solution on its CDMA system, SN conducted testing in conjunction with its vendors to determine whether the A-GPS system would meet FCC standards. After deploying the system, SN conducted field tests in various markets to validate that the CDMA system was operating properly. SN, using an independent third-party consultant, also completed accuracy testing prior to launching its iDEN A-GPS enabled system and met the Commission's standards. SN or its vendors also test each new GPS handset model as it is introduced into the market to ensure that it meets expected performance parameters. Based upon this information, SN believes that its current location technology satisfies the FCC's accuracy requirements.

this matter. See *In the Matter of Sprint Spectrum L.P.d/b/a Sprint PCS*, File No. EB-04-SE-054, Order (July 20, 2005).

¹⁸ 47 C.F.R. §20.18(g)(1)(v).

¹⁹ *Sprint Waiver Order* at ¶ 32; *Nextel Waiver Order* at ¶ 36.

Additional specific standards for testing accuracy have recently been completed by the Network Reliability and Interoperability Council (“NRIC”) and are being further defined by the Emergency Services Interconnection Forum. SN has begun to develop the systems and processes that would meet these testing protocols and intends to conduct testing in compliance with these standards and timelines when finalized. It is SN’s understanding, however, that current Commission rules apply to the performance of SN’s network as a whole and until the NRIC recommendation is accepted by the FCC, more granular testing of the 911 system is not required. Sprint further notes that the basic operational characteristics of this technology will not change based upon the amount of testing conducted.

VI. AFFIDAVIT REQUIREMENT

The *Sprint Waiver Order* and *Nextel Waiver Order* specify that SN “must support each Quarterly Report with an affidavit, from an officer or director of [SN], attesting to the truth and accuracy of the report.”²¹ Appendix B is the conforming Declaration of Kathy A. Walker, Executive Vice President – Network Services, SN.

VII. CONCLUSION

SN remains committed to E911 deployment efforts and to working with public safety in this important area.

²⁰ 47 C.F.R. § 20.18(h)(2).

²¹ *Sprint Waiver Order* at ¶ 28; *Nextel Waiver Order* at ¶ 32.

Respectfully submitted,

SPRINT NEXTEL CORPORATION

/s/ *Luisa L. Lancetti*

Luisa L. Lancetti

Vice President, Government Affairs - Wireless Regulatory

Jared Carlson

Director, Government Affairs - Wireless Regulatory

Charles W. McKee

Director, Government Affairs - Wireless Regulatory

Sprint Nextel Corporation
401 9th Street, N.W., Suite 400
Washington, D.C. 20004
202-585-1949

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